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**BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

PATRICK CREGOR FAGENSTROM, M.D.

File No: 10-1997-79822

**Physician's and Surgeon's
Certificate # G-36029**

Respondent.

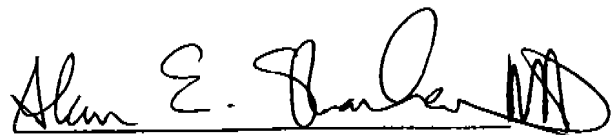
DECISION AND ORDER

The attached Stipulation for Surrender is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on December 30, 1999.

DATED December 23, 1999

**DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA**



**Alan E. Shumacher, M.D.
Acting Chair, Panel A**

BILL LOCKYER, Attorney General
of the State of California
SANFORD FELDMAN,
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Attorneys for Complainant

**BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation)	
Against:)	Case No. 10-97-79822
)	
PATRICK CREGOR FAGENSTROM, M.D.)	
1947 Cable Street)	STIPULATION
San Diego, CA 92107)	FOR SURRENDER
)	
Physician's and Surgeon's)	
Certificate No. G 36029)	
)	
Respondent.)	

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings that the following matters are true:

1. Complainant, Ron Joseph, is the Executive Director of the Medical Board of California, Department of Consumer Affairs ("Board") and is represented by Bill Lockyer, Attorney General of the State of California by Sanford Feldman, Deputy Attorney General.
2. Patrick Cregor Fagenstrom, M.D., has chosen to represent himself in this matter.

1 3. Respondent has received and read the Accusation
2 which is presently on file and pending in Case No. 10-97-79822
3 before the Division of Medical Quality of the Board ("Division"),
4 a copy of which is attached as Exhibit A and incorporated herein
5 by reference.

6 4. Respondent understands the nature of the charges
7 alleged in the Accusation and that, if proven at hearing, such
8 charges and allegations would constitute cause for imposing
9 discipline upon respondent's license issued by the Board.

10 5. Respondent is aware of each of his rights,
11 including the right to a hearing on the charges and allegations,
12 the right to be represented by counsel at his own expense, the
13 right to confront and cross-examine witnesses who would testify
14 against respondent, the right to testify and present evidence on
15 his own behalf, as well as to the issuance of subpoenas to compel
16 the attendance of witnesses and the production of documents, the
17 right to contest the charges and allegations, and other rights
18 which are accorded respondent pursuant to the California
19 Administrative Procedure Act (Gov. Code, § 11500 et seq.) and
20 other applicable laws, including the right to seek
21 reconsideration, review by the superior court, and appellate
22 review.

23 6. Respondent freely and voluntarily waives each and
24 every one of the rights set forth in paragraph 5.

25 7. For the purpose of resolving Accusation No. 10-97-
26 79822, respondent agrees that, at a hearing, complainant could
27 establish a factual basis for the charges in the Accusation.

1 Respondent hereby gives up his right to contest that cause for
2 discipline exists based on those charges and agrees to be bound
3 by the Division's disciplinary order as set forth below.

4 8. Respondent understands that by signing this
5 Stipulation he is enabling the Division to issue its order
6 accepting the surrender of his license without further process.
7 He understands and agrees that Board staff and counsel for
8 complainant may communicate directly with the Division regarding
9 this Stipulation, without notice to or participation by
10 respondent. The Division will not be disqualified from further
11 action in this matter by virtue of its consideration of this
12 Stipulation. In the event that this Stipulation is rejected for
13 any reason by the Division, it will be of no force or effect for
14 either party except for this paragraph.

15 9. Upon acceptance of this Stipulation by the
16 Division, respondent agrees to cause to be delivered to the
17 Division both his licenses and wallet certificate before the
18 effective date of the Decision. Respondent further understands
19 that, on or after the effective date of this Decision, he will no
20 longer be permitted to practice as a physician and surgeon in
21 California.

22 10. Respondent understands and agrees that if he ever
23 files an application for relicensure or reinstatement in the
24 State of California, the Division shall treat it as a petition
25 for reinstatement and respondent must comply with all laws,
26 regulations and procedures for reinstatement of a revoked license
27 in effect at the time the petition is filed.

11. Respondent understands and agrees that if he ever files an application for relicensure or reinstatement, all of the allegations and charges in the Accusation will be deemed true and correct and respondent will reimburse the Division the amount of \$3,789.86 as the costs of investigation and prosecution of this matter. Unless otherwise agreed by the Division, such reimbursement shall be paid in full prior to the processing of the application for relicensure or reinstatement.

12. The parties agree that facsimile copies of this Stipulation, including facsimile signatures of the parties, may be used in lieu of original documents and signatures. The facsimile copies will have the same force and effect as originals.

ACCEPTANCE

I, Patrick Cregor Fagenstrom, M.D., having carefully read the above stipulation, enter into it freely and voluntarily, and, with full knowledge of its force and effect, do hereby tender for surrender my Physician's and Surgeon's Certificate No. G 36029 to the Division. By signing this Stipulation to surrender my license, I recognize that upon its formal acceptance by the Division, I will lose all rights and privileges to practice as a physician and surgeon in the State of California and I also will cause to be delivered to the Division both my

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1 licenses and wallet certificate before the effective date of the
2 Decision.

3 DATED: 11/18/99.

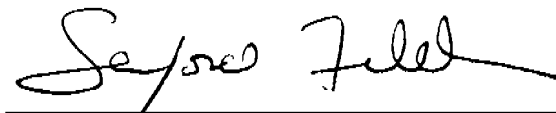
4
5
6 
7 Patrick Cregor Fagenstrom, M.D.

8 Respondent

9 I concur in the Stipulation.

10 DATED: 11/30/99.

11 BILL LOCKYER, Attorney General
12 of the State of California

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14 
15 SANFORD FELDMAN
16 Deputy Attorney General

17 Attorneys for Complainant

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